

## REMARKS

### I. Introduction

With the addition of new claims 15 and 16, claims 1 to 16 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### II. Rejection of Claims 1 to 5 and 7 to 9 Under 35 U.S.C. § 102(e)

Claims 1 to 5 and 7 to 9 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,168,162 ("Reluzco et al."). It is respectfully submitted that Reluzco et al. do not anticipate the present claims as amended herein for at least the following reasons.

Reluzco et al. purport to relate to a self-centering brush seal. In order to provide the self-centering feature, Reluzco et al. describe a number of arrangements for permitting the brush seal to maintain concentricity with the axis of the rotary component during radial excursions of the radial component. According to Reluzco et al., radial constraints on the brush seal are removed so that the seal is permitted to "float" in a radial direction and follow radial excursions of a rotating shaft. See, e.g., col. 1, line 66 to col. 2, line 2.

In stark contrast to the floating brush seal described by Reluzco et al., the brush seal according to the present application is press-fit into the housing 9. See, e.g., page 7, lines 15 to 18 of the Specification. As such, the brush seal 1 does not "float" in the housing 9. That is, the brush seal 1 is arranged in the housing 9 against radial movement relative to the housing. Independent claims 1 and 9 have been amended herein without prejudice to recite that a bristle housing is press-fit on a first one of a rotor and a stator against movement in a radial direction relative to the first one of the rotor and the stator. Since, as indicated above, Reluzco et al. describe a brush seal that is permitted to float in a radial direction and follow radial excursions of a rotating shaft, it is respectfully submitted that Reluzco et al. do not anticipate amended claims 1 and 9.

As for claims 2 to 5, 7 and 8, which ultimately depend from claim 1 and therefore include all of the features recited in claim 1, it is respectfully submitted that Reluzco et al. do not anticipate these dependent claims for at least the same reasons more fully set forth above in support of the patentability of claim 1.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**III. Rejection of Claim 6 Under 35 U.S.C. § 103(a)**

Claim 6 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Reluzco et al. and U.S. Patent No. 6,106,190 ("Nakamura et al."). It is respectfully submitted that the combination of Reluzco et al. and Nakamura et al. does not render unpatentable claim 6 as amended herein for at least the following reasons.

Claim 6 relates to a brush seal and recites that the brush seal includes a bristle housing. Claim 6 has been amended herein without prejudice to recite that the bristle housing is press-fit on a first one of a rotor and a stator against movement in a radial direction relative to the first one of the rotor and the stator. As indicated above, support for this amendment may be found, for example, page 7, lines 15 to 18 of the Specification. As more fully set forth above, the brush seal described by Reluzco et al. is arranged to float in a radial direction and follow radial excursions of a rotating shaft. As such, Reluzco et al. do not disclose, or even suggest, a bristle housing that is press-fit on a first one of a rotor and a stator against movement in a radial direction relative to the first one of the rotor and the stator as recited in amended claim 6. Nakamura et al., which purport to relate to a marine fender with a structure for fixing a pad to a fender frame, do not in any manner disclose, or even suggest, a bristle housing that is press-fit on a first one of a rotor and a stator against movement in a radial direction relative to the first one of the rotor and the stator as recited in amended claim 6. Furthermore, claim 6 has been amended herein without prejudice to recite that a spot weld of a first positioning arrangement engages a recess of a second positioning arrangement to prevent relative rotation of the bristle housing. The weld W illustrated in Figure 6b of Nakamura is a connection between the washer 76 and the bolt 38. That is, the weld W does not engage a recess to prevent the bolt 38 from rotation.

In view of all of the foregoing, it is respectfully submitted that the combination of Reluzco et al. and Nakamura et al. does not render unpatentable claim 6. Withdrawal of this rejection is therefore respectfully requested.

**IV. Rejection of Claims 1 and 10 to 13 Under 35 U.S.C. § 103(a)**

Claims 1 and 10 to 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 6,302,400 and Reluzco et al. It is respectfully submitted that the combination of U.S. Patent No. 6,302,400 and Reluzco et al. does not render unpatentable the present claims for at least the following reasons.

As an initial matter, the Examiner's attention is respectfully directed to page 5 of the "Reply Under 37 C.F.R. § 1.116," filed on December 6, 2002, which sets forth that, pursuant to 35 U.S.C. § 103(c), U.S. Patent No. 6,302,400 cannot be used to reject any claim of the present application under 35 U.S.C. § 103(a). Withdrawal of this rejection is therefore respectfully requested.

Notwithstanding the foregoing, as indicated above, Reluzco et al. describe a brush seal that is permitted to "float" in a radial direction and follow radial excursions of a rotating shaft. As such, any proposed modification of such a floating radial seal to be press-fit against movement in a radial direction would render the floating brush seal described by Reluzco et al. unsatisfactory for its intended purpose and/or change the principle of operation of the floating brush seal described by Reluzco et al. Accordingly, it is respectfully submitted that there is no suggestion or motivation to make the proposed combination, and, consequently, it is respectfully submitted that the combination of U.S. Patent No. 6,302,400 and Reluzco et al. does not render unpatentable claim 1 for this additional reason.

As for claims 10 to 13, which ultimately depend from claim 1 and therefore include all of the features recited in claim 1, it is respectfully submitted that the combination of U.S. Patent No. 6,302,400 and Reluzco et al. does not render unpatentable these dependent claims for at least the same reasons more fully set forth above in support of the patentability of claim 1.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**V. Rejection of Claim 14 Under 35 U.S.C. § 103(a)**

Claim 14 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Reluzco et al. and U.S. Patent No. 5,066,025 ("Hanrahan"). It is respectfully submitted that the combination of Reluzco et al. and Hanrahan does not render unpatentable claim 14 for at least the following reasons.

Claim 14 depends from claim 1 and therefore includes all of the features recited in claim 1. As more fully set forth above, Reluzco et al. do not disclose, or even suggest, all of the features recited in claim 1, from which claim 14 depends. Hanrahan does not disclose or suggest the features recited in claim 1 not disclosed or suggested by Reluzco et al. Accordingly, it is respectfully submitted that the combination of Reluzco et al. and Hanrahan does not render unpatentable claim 14, which depends from claim 1.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **VI. New Claims 15 and 16**

New claims 15 and 16 have been added herein. It is respectfully submitted that claims 15 and 16 are fully supported by the present application, including the Specification. Since claims 15 and 16 depend from claim 1, it is respectfully submitted that claims 15 and 16 are patentable over the references relied upon for at least the same reasons more fully set forth above in support of the patentability of claim 1.

#### **VII. Conclusion**

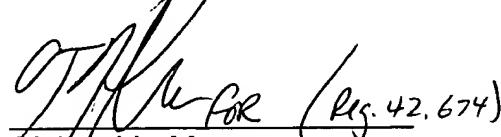
It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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